

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

John Lee Westpfahl

Case:2:12-mj-30099**Judge: Unassigned,****Filed: 02-10-2012 At 09:05 AM****JOHN LEE WESTPAHL (LCB)****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 2011 - December 2011 in the county of Oakland and Macomb in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

Title 18 United States Code Section 2113(a)

Bank Robbery

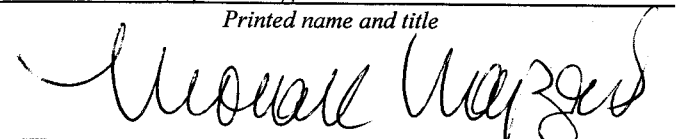
This criminal complaint is based on these facts:
See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence.

Date: 2/10/2012City and state: Detroit, MI
Complainant's signature

Matthew Schuff, Special Agent

Printed name and title
Judge's signature

Mona K. Majzoub, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Matthew C. Schuff, being duly sworn, depose and state as follows:

INTRODUCTION

1. Your affiant is a Special Agent of the Federal Bureau of Investigation (FBI) and has been so employed since October 2008. Your affiant is currently assigned to the Detroit Division of the FBI, Oakland County Resident Agency, located in Troy, Michigan. Your affiant's duties include the investigation of various violations of federal criminal law, including matters involving bank robbery.
2. The statements in this affidavit are based in part on information provided by other Special Agents of the FBI, other law enforcement officers, my investigation of this matter, and my experience and training as a Special Agent of the FBI. I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are necessary to establish probable cause to believe that JOHN LEE WESTPFAHL committed the crime of bank robbery in violation of Title 18, United States Code, Section 2113.

DETAILS OF THE INVESTIGATION

3. On November 15, 2011, at approximately 12:20 p.m., an unknown white male ("robber") robbed the Comerica Bank, 36965 Garfield Road, Clinton Township, Michigan. After entering the bank, the robber walked directly to the teller window, placed a note on the counter, and slid it to the victim teller (hereinafter "Teller 1"). According to Teller 1, the note read "this is a robbery" and requested various denominations including 1s, 5s 20s 50s and 100s. The note was described as handwritten in ink, on a small piece of white paper. While standing at the counter, the robber mumbled something inaudible to the teller while she read the note. Teller 1 complied and placed the currency on the teller counter. The robber grabbed the money and demand note and exited the bank with a total of \$1,845.00. Comerica employees described the robber as being a white male, approximately 40 to 50 years old, 5'5" to 5'7" tall, slim build, and unshaven. On this date he wore a black knit cap, black

jacket, jeans, white tennis shoes, pink framed glasses, and wore a bandage over the bridge of his nose. Comerica Bank is insured by the Federal Deposit Insurance Corporation (hereinafter "FDIC").

4. On November 22, 2011, at approximately 10:05 a.m., an unknown white male (hereinafter "robber") robbed the Comerica Bank, 33101 Woodward Avenue, Birmingham, Michigan. Upon entering the bank, the robber approached the teller counter and presented the teller (hereinafter "Teller 2") with a note that appeared to be written on lined notebook paper. Teller 2 saw the words "this is a robbery" and numbers on the note referring to denominations of currency 10s and 20s, but stopped reading the note when she realized she was being robbed. The robber quickly took the note back and took the money Teller 2 gave him from the teller drawer. The robber then exited the bank with \$4,224 in cash given to him by Teller 2. The robber was described as a male, in his 30s, approximately 5'7" tall, thin to medium build, wearing sunglasses, a black hat, tape around his fingers, and a bandage covering his nose. Witnesses also described an older model, green colored Pontiac Grand Am as a possible vehicle associated with the robbery. Comerica Bank is insured by the FDIC.
5. On December 6, 2011, at approximately 11:03 a.m., an unknown white male (hereinafter "robber") robbed the Charter One Bank, 23011 Woodward Avenue, Ferndale, Michigan. Upon entering the bank, the robber proceeded to a teller window where he was then told to get in line while the teller (hereinafter "Teller 3") finished counting a business deposit. The teller, who observed that the male was wearing sunglasses, asked him to take the glasses off. The robber stepped back into the line and briefly flipped up his sunglasses where Teller 3 observed he had blue colored eyes. The robber then approached the teller counter and handed Teller 3 a note that read "this is a robbery" and wording that requested various denominations to include 50s and 100s. The teller described the note as handwritten on small, white, lined paper. Teller 3 complied with the note and gave the robber the money from her drawer which consisted of \$2,740.00, along with the demand note. The robber made several inaudible sounds as he stood at the counter before exiting

the bank. The robber was described as a white male, early 40s, thin build, short (under 5'9" tall), unshaven, and wore a dark colored, zip up jacket, jeans, sunglasses, black knit cap, white tennis shoes, and a bandage over his nose. Charter One Bank is insured by the FDIC.

6. On December 20, 2011, at approximately 9:35 a.m., an unknown male (hereinafter "robber") robbed the Flagstar Bank, 35238 Woodward Avenue, Birmingham, Michigan. Upon entering the bank, the robber approached the teller counter and presented the teller (hereinafter "Teller 4") with a note that appeared to be written in black ink on lined paper. Teller 4 saw the words "this is a robbery" but did not read the entire note. Teller 4 complied with the robber and gave him everything in the teller drawer except for coins. The robber placed the money in his coat and exited the bank with \$6,743.00. The robber was described as a white male, approximately 5'5" tall, in his 30s or 40s, approximately 150 pounds, and wore a baseball cap, black jacket, glasses, and clear tape around his finger tips. Flagstar Bank is insured by the FDIC.
7. Your affiant, along with other Agents and officers of Ferndale, Birmingham, and Clinton Township police departments, reviewed the surveillance photographs from the above referenced robberies, and believe the bank robber to be the same male based on physical appearance, to include height and weight. Additionally, the robber used the same method to rob a bank, including passing demand notes which contained similar verbiage such as demanding specific denominations, stating "this is a robbery" and were written on similarly described pieces of lined paper. In all of the robberies, the robber handed the teller the note, and exited the bank with the cash and demand note. The robber wore similar clothes and disguises in most, if not all, of the robberies to disguise his appearance. In the first three robberies, the robber wore sunglasses and a bandage over his nose. During the last robbery, the robber disguised more of his face, using a mask. Following the Comerica robbery on 11/22/2011 in Birmingham, witnesses described an older model, green colored Pontiac Grand Am in the area of the bank following the

- robbery. Birmingham Police issued a "BOLO" or "be on the lookout" notice to law enforcement officers for this vehicle following the Comerica robbery.
8. On January 2, 2012, at approximately 2 a.m., a Ferndale police officer on patrol noticed an older model, green Pontiac Grand Am bearing Michigan license number CEK8868, parked at the 8 Wood Motel in Ferndale. A license plate check of the vehicle revealed it was registered to JOHN LEE WESTPFAHL. Further computer checks on WESTPFAHL revealed he was on federal probation for pleading guilty to two bank robberies in 2006. WESTPFAHL served 57 months in federal prison and was ordered to serve a period of two years of supervised release that was set to expire in April 2012. Computer records also revealed WESTPFAHL was a 44 year old white male, 5'7" tall, weighed 150 pounds, with blue eyes.
 9. Ferndale police initiated surveillance on WESTPFAHL at the 8 Wood Motel. WESTPFAHL was observed leaving room #4, entered the above Grand Am, and departed the motel. Ferndale officers conducted a traffic stop and took WESTPFAHL into custody. Upon his arrest, Ferndale officers recovered 43 one hundred dollar bills, five 20 dollar bills, two 5 dollar bills, and two 2 dollar bills.
 10. Further investigation by Ferndale police revealed WESTPFAHL was recently kicked out of his sister's home in Warren. Upon interviewing WESTPFAHL's sister and brother-in-law (hereinafter referred to as "FG"), Ferndale police were alerted by FG that the coat depicted in surveillance photos of the robberies appeared to be that of his son. Ferndale police returned to WESTPFAHL's former residence and recovered the coat. FG and his wife also told detectives that their seven year old daughter had pink sunglasses which were now missing, and their 17 year old son had a tan baseball cap from his Metro Parks employee uniform that looked like the hat depicted in the 12/20/2011 Flagstar robbery surveillance photos, which was also now missing.
 11. On January 3, 2012, Ferndale police executed a search warrant on room #4 of the 8 Wood Motel, where WESTPFAHL was registered as a guest since

December 30, 2011. One of the items seized included a handwritten note, on lined paper, concealed inside a magazine. The note read as follows:

“THIS IS ROBBERY

100's, 50's, 20's

Hand Them OVER

100's First

NO DYE PAKS OR I'll Know

Quickly & Quietly”

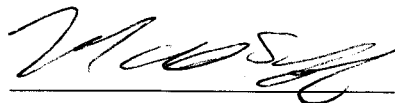
12. On January 3, 2012, contact was made with WESTPFAHL's employer, a local window installation company, by the affiant and Ferndale police. WESTPFAHL's employer verified WESTPFAHL was not at work during the time of the above robberies and worked the afternoon shift on the days of all four robberies. For security reasons, WESTPFAHL's employer requires that each employee scan in and out of their building using an electronic hand scanner. WESTPFAHL's employer provided Ferndale police with copies of time card reports showing the dates and times he was at work for November and December 2011.
13. On or about January 3, 2012, WESTPFAHL was charged with one count of bank robbery by the Oakland County Prosecutor's Office related to the December 6, 2011 Charter One Bank robbery in Ferndale.
14. Your affiant reviewed court and FBI records related to WESTPFAHL's previous bank robbery conviction. Upon his arrest on February 18, 2006, WESTPFAHL confessed to committing two bank robberies in Roseville, Michigan. In both robberies, WESTPFAHL used a demand note, took the note back, and exited the bank with the cash provided by the victim tellers. WESTPFAHL was apprehended by Roseville police after the second robbery on February 18, 2006, following a police chase that resulted in a head on crash with a marked Roseville police cruiser. WESTPFAHL was arrested with a demand note on his person at the time.

15. According Oakland County Court records, WESTPFAHL pled guilty as charged on January 30, 2012, to the Ferndale bank robbery of Charter One Bank and is scheduled to be sentenced on February 13, 2012.

CONCLUSION

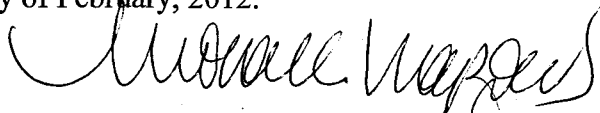
16. Based on the above information, probable cause exists to believe that JOHN LEE WESTPFAHL, knowingly robbed a the Comerica Bank in Clinton Township, Michigan, on November 15, 2011; the Comerica Bank in Birmingham, Michigan, on November 22, 2011; and the Flagstar Bank on December 20, 2011; all in violation of Title 18, United States Code, Section 2113, in the Eastern District of Michigan.

FURTHER AFFIANT SAYETH NOT.



Matthew C. Schuff
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 10th day of February, 2012.



XXXXXXXXXX MONA K. MAJZOUB
United States Magistrate Judge